



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY, PACIFIC
CIVILIAN PERSONNEL OPERATIONS CENTER, PACIFIC REGION
600 RICHARDSON DRIVE #6700
FORT RICHARDSON, ALASKA 99505-6700

APPE-CP-OC

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**PACIFIC REGION
MERIT PROMOTION AND
PLACEMENT PLAN**

1. **PURPOSE.** This plan establishes policies and prescribes procedures for promotions, reassignments and other in-service placement actions to insure that the Pacific Region Civilian Personnel Operations Center (CPOC) and the Civilian Personnel Advisory Centers accomplishes actions in accordance with statutory and regulatory guidance. It was developed by both labor organizations and management through mutual respect and a cooperative relationship. This plan covers an activity or installation serviced by the Pacific Region CPOC once the plan has been approved by local bargaining units and management officials at that activity or installation. The date of implementation will therefore vary across the region.

2. **SCOPE.**

a. The provisions of this plan apply to all competitive service positions in activities serviced by the Pacific Region CPOC with the exception of instances in which portions of the plan differ from the provisions of locally negotiated agreements. In those instances, the negotiated provisions take precedence. Where the plan is silent regarding certain aspects of the merit promotion and staffing program, the provisions of higher authorities will apply.

b. The plan excludes the following actions:

(1) Statutory/regulatory/administrative placement. Unless otherwise specified herein, placements required by law, regulation, or the direction of a higher authority are accomplished as provided in appropriate media. Positions identified as mandatory command, DA, or DOD-wide referral levels are filled under the provisions of applicable regulations.

(2) Temporary/term appointments to positions filled by temporary/term employees.

(3) Appointment under the provisions of a special appointment authority (e.g., VRA, handicapped appointment).

(4) Placements made during or in lieu of reduction in force (RIF).

(5) Conversions of excepted appointments of physically or mentally disabled, Veteran's Readjustment Appointment (VRA), student employment, Civilian Intelligence Personnel Management System, or other eligible appointments.

(6) Conversion to permanent appointments of eligible veterans with 30 percent or more disability who are serving on temporary or provisional appointments under 5 CFR 315.707.

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(7) Promotion to a grade previously held on a permanent basis in the competitive service (or in another merit system with which the Office of Personnel Management (OPM) has an interchange agreement) from which an employee was separated or demoted for other than performance or conduct reasons;

(8) Promotion, reassignment, demotion, transfer, reinstatement, or detail to a position having promotion potential no greater than the potential of a position an employee currently holds or previously held on a permanent basis in the competitive service (or in another merit system with which OPM has an interchange agreement) and did not lose because of performance or conduct reasons.

(9) Consideration of a candidate not given proper consideration in a competitive promotion action.

(10) Temporary promotions of 120 days or less. Prior service under all details to higher graded positions or temporary promotions, whether competitive or noncompetitive, during the preceding 12 months is counted in determining whether the 120-day limit will be exceeded. A competitive temporary promotion may be made permanent without further competition provided:

(a) The fact that it might lead to a permanent promotion was made known to all potential candidates initially, and

(b) The area of consideration used for the competitive temporary promotion was appropriate for competitive permanent promotion.

(11) Details of 120 days or less to a higher-grade position or to a position with known promotion potential. Prior service under details and temporary promotions to a higher grade position during the preceding 12 months, whether competitive or noncompetitive, is counted in determining whether a proposed detail will exceed the 120 day limit. An employee need not meet time-in-grade or minimum qualification requirements (other than positive education requirements) to be detailed to another position.

(12) A promotion resulting from upgrading due to issuance of a new classification standard or correction of an initial classification error.

(13) Career promotions.

(a) A promotion of an employee selected for a developmental position, when at an earlier stage the employee was selected from a civil service register, by direct hire, under a special appointment authority, or under competitive procedures (the intent must be a matter of record and the career ladders must be documented). The employee's performance must be satisfactory and must be recommended for promotion by the supervisor. At the time of promotion, training,

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qualifications and regulatory requirements must be met, and the job description must be an accurate statement of duties being performed and the title, series and grade must be supportable.

(b) A promotion resulting from an employee's position being reclassified at a higher grade because of additional duties and responsibilities when all of the following circumstances are met:

- There are no other employees at the same grade level in the unit supervised by the selecting supervisor who are performing duties substantially the same as those performed by the employee prior to the addition of the new duties and responsibilities. (For example, in classification, jobs are considered substantially the same when major duties, supervisory controls, knowledge required, and working conditions are the same);

- The employees continue to perform the same basic function(s) as in the former position and the duties of the former position are administratively absorbed into the new position;

- The addition of the duties and responsibilities does not result in an adverse impact on another encumbered position, such as abolishing the position or reducing the known promotion potential of another position; and

- The employee meets all eligibility and qualification requirements for the position.

(14) Positions in the Senior Executive Service.

(15) Appointment of family members under Executive Order (EO) 12721.

(16) In accordance with the DOD/OPM Personnel Interchange Agreement, appointment of current, permanent nonappropriated fund (NAF) employees with one year of continuous service, to like graded or lower graded appropriated fund positions.

c. Actions Covered by Competitive Procedures. Competitive procedures apply to the fill of all positions covered by this plan as follows:

(1) Selection by promotion or transfer to a higher graded position.

(2) Reinstatement to a permanent or temporary position at a higher grade than the previous held grade in a non-temporary position in the competitive service.

(3) Temporary promotion which exceeds 120 days (prior service in the preceding 12 months under all details to higher graded positions or temporary promotions is included whether competitive or noncompetitive). A temporary promotion will not be effected for less than 30 days. A temporary promotion may be made permanent without further competition provided:

(a) The temporary promotion was originally made under competitive procedures;

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(b) The appropriate minimum area of consideration for the position was used for the temporary promotion, and;

(c) The fact that it might lead to a permanent promotion was made known to potential candidates.

(4) Details for over 120 days to higher graded positions or to positions with known promotion potential greater than the employee's present position.

(5) Reassignment or demotion to a position with more promotion potential than previously held in a non-temporary position (except as permitted by reduction-in-force regulations).

(6) Selection for training which is given primarily to prepare an employee for advancement and is required for promotion.

(7) The appointment of a candidate from a reemployment priority list for a job at a higher grade than the one last held in a non-temporary status in the competitive service.

3. Definitions:

a. Area of Consideration. The area in which a search is made for eligible candidates for a specific position.

b. Promotion. The change of an employee to a higher grade when both the old and new positions are under the same pay schedule, or to a position with a higher representative rate when the old and new positions are under different pay schedules.

c. Temporary promotion. The temporary official placement of an employee into a position of higher grade. This action temporarily increases an employee's grade and rate of pay.

d. Change to lower grade. The change of an employee to a lower grade when both the old and new positions are under the same pay schedule, or to a position with a lower representative rate when the old and new positions are under different pay schedules.

e. Detail. The temporary assignment of an employee to duties not within his/her job description. A detail does not change the employee's official title, grade, or pay rate.

f. Known promotion potential. Positions referred to as having known promotion potential are those positions engineered for filling at a grade level below the established or target grade with subsequent noncompetitive promotion(s) to the target grade as qualification and any formal/informal training requirements are satisfactorily met. Examples are "trainee" and "career

ladder” positions initially filled below the authorized target grade.

g. **Position Change.** A move by an employee from one position to another position during his or her continuous service within the same agency. When the move establishes the employee’s eligibility for grade retention (under 5 U.S.C. 5362), the Nature of Action for the move is called “Position change.” It is also called “Position Change” when an employee who is already entitled to grade retention moves to another position at or below his or her retained grade.

h. **Department of Defense’s (DoD’s) Automated Staffing Application.** A commercial software package selected by Department of Defense for use throughout the Department. Using state-of-the art scanning and data extraction techniques, it rates and ranks applicants to produce a referral list.

i. **Date of Implementation:** The date this plan is implemented at a specific activity or installation. Date of implementation will vary across the region.

j. **Job Design/Search Criteria.** Those mandatory and desirable knowledge, skills, and abilities a manager determines are appropriate for identifying the best-qualified candidates using DoD’s automated staffing application.

4. **POLICY.** It is the policy of this region to assure that positions are filled on the basis of merit principles --without regard to race, religion, color, political affiliation, age, marital status, sex, national origin, non-disqualifying physical or mental disability, membership or non-membership in an employee organization, or any other basis of bias or favoritism. This region:

a. Will afford employees the opportunity to compete fairly and impartially for positions filled by competitive procedures.

b. Will not allow management officials to advocate their relatives for appointment, employment, promotion, or advancement.

c. Will strive to identify and eliminate barriers to equal employment and advancement opportunity.

d. Recognizes management’s right to select or not select from any group of best-qualified candidates and right to recruit and select from other appropriate sources.

e. Recognizes provisions of local labor contracts, which differ from this merit promotion plan, take precedence.

5. **Responsibilities.**

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a. CPOC. The CPOC will:

(1) Establish and administer the civilian placement program to assure that the objectives of this plan are met.

(2) Furnish information on the civilian placement program to the work force so employees may know how it affects them.

(3) Provide information on current vacancies to the work force to be filled by this plan.

(4) Provide a mechanism for applicants to learn whether they were qualified and/or referred.

(5) Provide the CPAC, upon request, adequate information to respond to a candidate's request for eligibility and rating information.

(6) Document actions and maintain records in accordance with requirements established by regional policy or higher echelon.

(7) Review and evaluate the effectiveness of the program to determine if it is meeting the objectives of the plan and the needs of management and employees.

(8) Make referrals to the selecting official.

(9) After selection, validate selections in accordance with law, rule and regulation.

(10) Coordinates area of consideration with Civilian Personnel Advisory Center (CPAC).

(11) Coordinate effectively with the Civilian Personnel Advisory Center (CPAC).

(12) Publish special announcements, articles, and guidance regarding the program whenever there are changes directed by higher authority or when program review shows that more employee information is required.

(13) Assist the Civilian Personnel Advisory Center (CPAC) in developing pertinent criteria to evaluate candidates.

b. CPAC. The CPAC will:

(1) Support and assist in administering the civilian placement program.

(2) Solicit opinions, comments and suggestions from employees, operating officials, and recognized employee organizations regarding the operation of this plan.

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(3) Assist the CPOC in marketing this plan and explaining application procedures and qualification requirements, and disseminating information on the civilian placement program to the work force so employees may know how it affects them.

(4) Assist the CPOC in providing information on current vacancies to the work force.

(5) Upon candidate request, and after coordinating with the CPOC, provides information to candidates on reasons for their ineligibility or reasons for their failure to qualify.

(6) In coordination with the CPOC, notify selected candidates and their immediate supervisors of selections.

(7) Provide documentation to the CPOC on actions as required.

(8) Assist the CPOC in reviewing and evaluating the effectiveness of the program to determine if it is meeting the objectives of the plan and the needs of management and employees.

(9) Assists managers in developing job-related criteria and pertinent job search criteria (i.e. knowledge, skills and abilities) and evaluation of applicants.

(10) Assist the CPOC in determining areas of consideration, applicant evaluation process, and issuing referrals to the selecting official.

(11) Coordinate effectively with the CPOC.

(12) Assist the CPOC in disseminating information regarding the program whenever there are changes directed by higher authority or when program review shows that more employee information is required.

c. Management officials and supervisors. Management officials and supervisors will:

(1) Communicate the provisions of this plan to employees.

(2) Furnish suggestions and comments for improvement of this plan.

(3) Counsel and assist employees who wish to work toward other or more responsible assignments.

(4) Anticipate personnel requirements and initiate appropriate action on a timely basis.

(5) Assist in developing evaluative criteria, areas of consideration and in identifying subject matter experts, as required.

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(6) Assure that employees referred under this plan receive proper consideration. If a referral list contains 3 or more highly qualified candidates, the supervisor must provide written justification when requesting more candidates.

(7) Make selections in accordance with this plan. Document reasons for selections.

(8) Review and monitor selections to assure they comply with the spirit of affirmative employment goals and objectives.

(9) Release employees within prescribed time limits after selection.

(10) Assist the CPOC/CPAC in providing information on current vacancies to the work force.

(11) Complete any appraisals that may be required in the evaluation process.

(12) Submit applications for vacancies announced during the employees' absence.

d. Employees. It is the responsibility of employees who desire promotion or other placement consideration to:

(1) Seek advice and assistance from their supervisors in developing a plan to prepare themselves for more responsible assignments.

(2) Demonstrate interest in their job through regular attendance, acceptable work performance, and conduct, and develop themselves for higher-grade jobs.

(3) Avail themselves of opportunities for self-development.

(4) Know and follow the provisions of this plan. Review announcements and apply for the jobs for which they are qualified and interested by submitting required documents in a timely manner as specified in the job announcement.

(5) Keep supervisors informed in writing about job vacancies for which they are interested in applying during the employees' absence.

(6) Serve as subject matter experts as required.

e. Equal Employment Opportunity (EEO) Officer. The EEO Officer will:

(1) Consult with the CPOC/CPAC regarding provisions of this plan.

(2) Submit written comments or suggestions for program changes to assist in assuring equal

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opportunity for all employees.

(3) Assist in developing, executing, and assessing programs designed to support affirmative action.

(4) Counsel and advise employees on the provision of this plan when requested.

6. Recruitment and Selection.

a. The area of consideration will be as broad as practical to provide management the probability of a reasonable number of high quality candidates, taking into account the nature and level of the positions covered. The area of consideration will also include:

(1) Qualified Army employees who submit voluntary applications by the closing date of the specific vacancy announcement.

(2) Applications received from employees absent for military service or service in public international organizations or on Intergovernmental Personnel Act assignments.

b. Vacancy announcements are used in competitive actions to locate candidates for all positions covered by this plan. Announcements may be used to fill like vacancies for 90 days after the closing date.

c. Application procedures will be described in the vacancy announcement. Applications must be received by the CPOC or postmarked by the closing date of the vacancy announcement.

d. To be eligible for promotion or placement, candidates must meet the minimum qualification requirements prescribed by OPM and legal and administrative requirements.

e. A reasonable number of best qualified candidates may be referred for selection.

f. The selecting official may select or not select any candidate referred under this plan. Selections will be based solely on job-related criteria and reasons for selection will be documented. If the referral list is returned without a selection being made, the selecting official will document the reason for non-selection on the referral list.

g. Normally, an employee will be released no later than the beginning of the second pay period following the commitment. An earlier date may be arranged by mutual agreement between officials of the gaining and losing activities. A later effective date may be established by concurrence of the gaining activity.

7. Automated Recruitment Process.

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- a. DoD's Automated Staffing Application will be used for filling positions under this plan.
- b. Applicants must prepare and submit the required document consistent with the Pacific Region's Job Information Kit. In addition, the applicant must furnish the supplemental data requested in the Job Information Kit. Failure to do so will result in the application being rejected from further consideration.
- c. Internal applicants may submit the required document at any time. The applicant may resubmit revised application documents as often and whenever they choose. However, the last application document received will override an existing application in the system.
- d. If a resume is on file with the CPOC, the employee should self-nominate themselves in accordance with the instructions in the vacancy announcements.
- e. The CPOC will coordinate with the CPAC and appropriate management officials to develop job design criteria and those, which are mandatory and desirable. The position vacancy announcement will provide sufficient information to permit the applicant to understand the specialized experience the position requires.
- f. The CPOC will verify the eligibility and qualifications of all applicants who possess the mandatory skills and a sufficient number of the desirable skills to assure all applicants referred meet all regulatory and qualification requirements.
- g. A reasonable number of candidates will be referred. A break point for referral will be established, as appropriate, based on the number of desired skills matched from the applicant's resume.

8. Administration.

- a. Prohibited action. Discovery of a procedural, regulatory or program violation will lead to suspension of the action until such time as the matter is resolved and properly documented.
- b. Employee complaints and grievances. Employees may file a complaint relating to a promotion action; however, non-selection from among a group of properly ranked and certified candidates is not a basis for a grievance. Efforts will be made to informally resolve employee concerns about actions under this plan. Formal complaints will be processed under applicable procedures. There is no right of appeal to OPM.
- c. Corrective Actions.

(1) Immediate action should be taken to correct a violation or program deficiency based on the established facts in the case, the ethical and legal rights of those concerned and the best interests of the Government.

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(2) When a violation has been alleged or discovered, the person placed will remain in the position until a determination is made as to what corrective action should be taken, if any.

(a) A procedural violation occurs when a placement action does not meet the requirements of this plan. If reconstruction of the action show that the employee selected could have been selected if proper procedures had been followed, the employee selected may remain in the position.

(b) A regulatory violation occurs when the placed employee did not satisfy legal and/or regulatory requirements for placement, such as qualification requirements. The erroneously placed employee may be retained in the position only if he/she meets all requirements for placement at the time a determination is made as to what corrective action will be taken.

I CERTIFY THIS PLAN HAS BEEN APPROVED FOR USE BY ALL SERVICED CPACS AND THEIR RESPECTIVE LOCAL BARGAINING UNITS. IT IS IN EFFECT UNTIL SUPERSEDED.

PATRICIA S. PEARSON
Director
Pacific Region Civilian Personnel
Operations Center